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FACSIMILE COVER SHEET

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): J. David Schaffer

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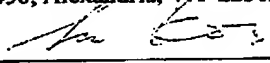
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Appeal Brief (14)

Yuri Kateshov, Esq.

Date: September 5, 2006

Enclosures: (as listed above)

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APPEAL BRIEF

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I. REAL PARTY IN INTEREST

The real party in interest is Philips Electronics North America Corporation, the assignee of record.

II. RELATED APPEALS AND INTERFERENCES

Appellant is not aware of any pending appeals, judicial proceedings, or interferences which may be related to, directly affect, be directly affected by, or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Claims 1-26 are rejected.

IV. STATUS OF AMENDMENTS

An after-final amendment under 37 CFR 1.116 was not filed in response to the Final Office Action. All amendments prior to the Final Office Action were entered into the record.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention, as recited in independent claim 1, is related to an automated recommendation system (page 1, lines 6 -- 14 of the specification). The system comprises a processor (Fig. 4; reference numeral 240) connected to receive resource data defining available resources (page 12, line 15 -- page 13, line 13) and at least two sets of profile data, each defining

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ones from each of the at least two sets of predictions to produce a combined set (page 2), line 2 – page 21, line 20; Fig. 7, reference numeral 515).

Still further, the present invention, as recited in independent claim 24, is directed to a method of combining profile data. First profile data are generated by receiving through a user interface user preferences in the form of expressed generalized preferences corresponding classes of resources. Second profile data are generated by receiving user preferences in the form of rating data corresponding to specific resources. The first and second profile data are applied to respective prediction engines to produce first and second prediction results and combining the first and second results (page 22, line 10 – page 24, line 7).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1) Whether claims 1-6, 9-14 and 17-26 are properly rejected under 35 USC 102 (e) as being anticipated by U.S. Patent 6,438,579 (“Hosken”).

2) Whether claims 7, 8, 15 and 16 are properly rejected under 35 USC 103(a) as being unpatentable over Hosken in view of U.S. Patent 6,112,186 (Bergh).

VII. ARGUMENT

1) Claims 1-6, 9-14 and 17-26 are not properly rejected under 35 USC 102(e) as being anticipated Hosken.

With reference to Appellant’s claim 1, it is respectfully submitted that Hosken fails to teach several elements of the present invention.

Hosken does not teach creating two sets of predictions from profiles based on [a] user’s preferences and combining these sets of predictions. It is asserted in the Final Office Action that

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6. A system as in claim 1, wherein the at least two profile data sets include an implicit data set derived from machine-observation of a user's resource use history, whereby the implicit data reflects the user's selections of resources to use.

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7. A system as in claim 1, wherein at least one set of the at least two profile data sets comprises input vectors, and the input vectors each include feature-value pairs.

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8. A system as in claim 1, wherein at least one set of the at least two profile data sets comprises input vectors, and the input vectors include feature-value pairs and a rating value.

9. A method of recommending resources, comprising:

generating at least two sets of profile data based on expressed preferences of a user with respect to the resources, each being usable to predict a given resource's desirability based on each of the sets;

generating at least two sets of predictions based on one or a combination of the sets of profile data; and

combining the predictions by weight-averaging corresponding ones from each of the at least two sets of predictions.

10. A method as in claim 9, further comprising:

generating a weighted sum of corresponding records from each of the sets of profile data to generate a single combined set of profile data; and